

REMARKS

The Official Action mailed August 24, 2006 has been carefully considered. Reconsideration and allowance of the subject application is respectfully requested.

Claims 1 and 21 have been amended to further clarify the claimed invention. No new matter has been added as a result of the changes made thereto.

Claim Rejections Under 35 USC § 103

Claims 1, 4 and 21-23 stand rejected under 35 USC § 103 as being unpatentable over Vortman et al. (U.S. Patent No. 6,771,760 – hereinafter “Vortman”) in view of Kilander et al. (U.S. Patent No. 5,742,675 – hereinafter “Kilander”). Applicant respectfully submits this rejection is in error.

Regarding claim 1, the Examiner asserts that Vortman discloses “connecting a telephony server (Fig. 1, callback server 32) between a user station (Fig 1, 22) and a call center (Fig. 1, 20) not having call back capabilities (col. 2, lines 29-30).” However, Vortman, at Column 2, lines 29-30, do not indicate a call center not having call back capabilities. Rather, Column 2, lines 29-30 simply reads “[i]t is an object of some aspects of the present invention to provide improved callback capabilities for call centers.”

The Examiner then asserts:

Vortman discussed the present invention to provide improved call back capabilities for call centers *meaning improving call back capabilities from no call back capabilities, limited call back capabilities, or manual call back capabilities to automated call back capabilities*, hence regardless whether call centers with limited call back or no call back capabilities, the call back is handled via the call back server (col. 2, lines 49-50) via a telephone switching network (callback server 32 handles callback request for customers), the call center in communication with at least one agent station (Fig. 1, agent terminal 38). (Official Action, Page 2, emphasis added)

It is unclear why the Examiner is characterizing Vortman as teaching a call center that improves call back capabilities from no call back capabilities, limited call back capabilities, or manual call back capabilities to automated call back capabilities. Applicant is unable to find any such teachings in Vortman.

Indeed, as the Examiner correctly points out, Vortman teaches a call center that includes callback server 32. As also recognized by the Examiner, Vortman teaches the callback server 32 initiates callbacks. Indeed, the very term callback in the callback server 32 is a device that is used to provide call back capabilities. Thus, on its face, it appears that Vortman specifically teaches a system that has call back capabilities, by virtue of callback server 32. Thus, it is not understood how the Examiner can assert that callback server 32, whose very function is to provide call back capabilities, is included in a system not having call back capabilities. Vortman simply does not stand for this proposition.

Instead, it is Applicant's understanding that Vortman discloses a method for managing communication between a communication center and a party outside the center, which center has a central communication switch which is configured to generate incoming call event indications responsive to incoming calls to the center. In short, Vortman appears to be directed to improved management of customer callbacks in a call center. The concept of providing callback capabilities in a call center system that does not have call back capabilities is simply absent from Vortman.

As noted in the previous response, Applicant's claim 1 requires "a call center not having callback capabilities...." Independent claim 21 requires a similar limitation. Since Vortman does not disclose or suggest this limitation, not surprisingly, Vortman also does not disclose or suggest a "telephony server configured to encode information received from the web server into a dual tone multi frequency (DTMF) string" as is also required by independent claim 1 (it is noted here that claim 21 also includes a similar limitation).

As disclosed by Applicant:

Encoding the web information into a DTMF string enables the Telephony server 120 to convert a web request into a phone call. By doing so, an existing call center that does not have the capability of directly accepting web requests can handle the customers' requests for live customer service, issued from a web page, in a similar fashion as it handles customers' request for live customer service via conventional phone calls. (Page 12, lines 6-11)

Also, as disclosed by Applicant:

...the Telephony server 120, which initiates, in response to a web request for call-back, a phone call to a call center and then automatically bridges the call-back by detecting an available agent via DTMF tones. (Page 11, lines 12-14)

In summary, it does not appear that Vortman remotely discloses or suggests a telephony server as required by Applicant's claims 1 and 21.

The Examiner appears to recognize that Vortman does not teach the availability of the agent being determined by detecting a DTMF ID entered when an available agent answers the phone, and instead relies on Kilander as applying these missing teachings. However, it is respectfully submitted that in addition to failing to disclose or suggest this limitation, Vortman fails to disclose or suggest many limitations as required by the invention of independent claims 1 and 21, as noted above.

In particular, the Examiner appears to rely on Kilander as teaching a method and apparatus for automatically distributing calls to available logged-in call handling agents. The Examiner points to Kilander as disclosing a call center server (CCS 20) that processes the log-on transaction, acknowledges a valid log-on to the workstation, and when an agent is ready to make a new call, the agent signals his/her availability to the CCS 20 by entering a command on the agent's computer and sending it over data link 26 to the CCS 20.

However, nowhere does Kilander disclose or suggest a telephony server that is connected between a user station and a call center not having callback capabilities as required by claims 1 and 21. Also, nowhere does Kilander disclose or suggest the particulars of the telephony server required by Applicant's invention of independent claims 1 and 21, as discussed above.

It is not understood why the Examiner combines Kilander with Vortman to achieve or render obvious Applicant's claims. It does not appear to Applicant that there would be any motivation to combine the teachings of Kilander and the teachings of Vortman, since Vortman already discloses the concepts of distributing calls to available logged-in call handling agents. Thus, it is respectfully submitted that one skilled in the art would not be motivated to combine these two references.

Even if the teachings of Kilander are combined with Vortman, several aspects of the invention of independent claims 1 and 21 would still be missing. Most notably, the concept of a telephony server in a call center not having callback capabilities, and a telephony server using encoding information received from a webserver into DTMF strings and bridging a callback between a user station and an available agent using this DTMF protocol between the telephony server, the agent station and the user station.

Thus, it is respectfully submitted that the Examiner's rejection of claims 1, 4 and 21-23 under 35 USC § 103 as being unpatentable over Vortman in view of Kilander is in error, and should be withdrawn.

Having dealt with all the objections raised by the Examiner, it is respectfully submitted that the present application, as amended, is in condition for allowance. Thus, early allowance is earnestly solicited.

If the Examiner desires personal contact for further disposition of this case, the Examiner is invited to call the undersigned Attorney at 603.668.6560.

In the event there are any fees due, please charge them to our Deposit Account No. 50-2121.

Respectfully submitted,

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